

1 ROBERT W. FREEMAN
Nevada Bar No. 3062
2 E-Mail: Robert.Freeman@lewisbrisbois.com
CHERYL A. GRAMES
3 Nevada Bar No. 12752
E-Mail: Cheryl.Grames@lewisbrisbois.com
4 TARA U. TEEGARDEN
Nevada Bar No. 15344
5 Email: Tara.Teegarden@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
6 6385 S. Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
7 702.893.3383
FAX: 702.893.3789
8 *Attorneys for Defendant State Farm Mutual*
Automobile Insurance Company

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

12 ***

13 YUNA CHOI, an individual;

14 Plaintiff,

15 vs.

16 STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, an Illinois
corporation; DOES I through X; and ROE
17 CORPORATIONS I through X;

18 Defendants.

CASE NO.: 2:20-cv-1329-RFB-VCF

19
20 **STIPULATION AND ORDER TO**
21 **EXTEND DISCOVERY DEADLINES**

22 **[FIRST REQUEST]**

23 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of
24 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
25 ninety (90) days, up to and including Monday, June 28, 2021. In addition, the parties request that
the all other future deadlines contemplated by the Discovery Plan and Scheduling Order be
extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as
follows:

- 26 1. On June 10, 2020, Plaintiff filed her Complaint in the Clark County District Court,
27 Nevada.
28 2. On June 10, 2020, Plaintiff served the Complaint on the Nevada Department of

Business and Industry, Division of Insurance.

3. On July 17, 2020, Defendant filed its Petition for Removal.

4. On July 30, 2020, Defendant filed its Answer to Complaint (pursuant to stipulation extension (ECF No. 7)).

5. On August 19, 2020, the parties conducted an initial FRCP 26(f) conference

6. On September 2, 2020, the Court entered the Stipulated Discovery Order.

7. On September 30, 2021, Defendant served its FRCP 26 Initial Disclosures on Plaintiff.

8. On October 23, 2020, Plaintiff served her FRCP 26 Initial Disclosures on Defendant.

9. On November 19, 2020, Defendant served written discovery on Plaintiff.

10. On November 24, 2020, Plaintiff served written discovery on Defendant.

DISCOVERY REMAINING

1. The parties will continue participating in written discovery.

2. Defendant will take the deposition of Plaintiff.

3. Defendant will serve a Notice of Independent Medical Examination.

4. Plaintiff will take the deposition of Defendant's Person Most Knowledgeable.

5. The parties may take the depositions of any and all other witnesses garnered through discovery.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-4, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

The parties seek additional time to complete discovery for several reasons, none of which are for an improper purpose or for the purpose of delay. The ongoing impact of the current COVID-19 crisis continues to constrain the parties' ability to complete discovery. Local, state, and national officials continue to warn that people should stay home, and travel should be limited

and/or avoided to prevent further spread of the virus. Defendants and their counsel are practicing physical distancing and are working remotely. Due to these unexpected and rapidly changing circumstances, an extension of the discovery deadlines is necessary so the parties may fully develop their respective cases in chief. Specifically, the parties are moving forward with the previously agreed upon Independent Medical Exam (“IME”) with Dr. Daniel Lee so that State Farm may fully evaluate Plaintiff’s claim. However, Dr. Lee’s availability has been severely limited, and he is not available until March 2021 to perform the IME. Accordingly, and in short, the parties request an extension of the current discovery deadlines to allow the parties an opportunity to fully understand the nature of Plaintiff’s claims and Defendant’s defenses thereto.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-4.

This is the first request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension.

The following is a list of the current discovery deadlines and the parties’ proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, March 29, 2021</i>	<i>Monday, June 28, 2021</i>
Deadline to Amend Pleadings or Add Parties	<i>Tuesday, December 29, 2020</i>	<i>Tuesday, March 30, 2021</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Thursday, January 28, 2021</i>	<i>Thursday, April 29, 2021</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Monday, March 1, 2021[1]</i>	<i>Monday, May 31, 2021</i>
Dispositive Motions	<i>Wednesday, April 28, 2021</i>	<i>Wednesday, July 28, 2021</i>
Joint Pretrial Order	<i>Friday, May 28, 2021</i>	<i>Friday, August 27, 2021</i>

1 WHEREFORE, the parties respectfully request that this Court extend the discovery
2 period by ninety (90) days from the current deadline of March 29, 2021 up to and including June
3 28, 2021 and the other dates as outlined in accordance with the table above.

4 DATED this 11th day of December, 2020.

DATED this 11th day of December, 2020.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

MARKMAN LAW

6 /s/ Cheryl A. Grames

/s/ David A. Markman

7 ROBERT W. FREEMAN

DAVID A. MARKMAN

8 Nevada Bar No. 3062

Nevada Bar No. 12440

9 CHERYL A. GRAMES

4484 S. Pecos Rd., Ste. 140

10 Nevada Bar No. 12752

Las Vegas, Nevada 89121

11 TARA U. TEEGARDEN

Attorneys for Plaintiff YUNA CHOI

12 Nevada Bar No. 15344

6385 S. Rainbow Boulevard, Suite 600

13 Las Vegas, Nevada 89118

Attorneys for Defendant STATE FARM


MUTUAL AUTOMOBILE INSURANCE

COMPANY

14 **ORDER**

15 **IT IS SO ORDERED:**

16
17 Dated this 14th day of December, 2020.

18 

19 **UNITED STATES MAGISTRATE JUDGE**

Archived: Friday, December 11, 2020 12:36:13 PM

From: [David Markman](#)

Sent: Wednesday, December 9, 2020 10:33:33 AM

To: [Grames, Cheryl](#)

Cc: [Teegarden, Tara](#); [Freeman, Robert](#); [Freeman, Kristen](#); [Bradley-Estrada, Mary](#); [Cordell, Anne](#)

Subject: [EXT] Re: Yuna Choi v. SF - Draft Request to Extend Discovery Deadlines

Sensitivity: Normal

External Email

You have my permission to affix my e-signature to the stipulation and order to extend discovery deadlines.

On Tue, Dec 8, 2020 at 4:09 PM Grames, Cheryl <Cheryl.Grames@lewisbrisbois.com> wrote:

Hi David: Would you please review the enclosed draft Request to Extend Discovery Deadlines and advise whether you agree to the extension, and if so, whether you have any proposed revisions to the Request?

Thanks,

Cheryl



Cheryl A. Grames
Partner
Cheryl.Grames@lewisbrisbois.com
T: 702.583.6014 F: 702.893.3789

6385 South Rainbow Blvd., Suite 600, Las Vegas, NV 89118 | LewisBrisbois.com

[Representing clients from coast to coast. View our locations nationwide.](#)

This e-mail may contain or attach privileged, confidential or protected information intended only for the use of the intended recipient. If you are not the intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

--

David Markman, Esq.
Attorney

MARKMAN LAW

4484 S. Pecos Rd. Suite #130

Las Vegas NV 89121

Tel: 702-843-5899 / Fax: 702-843-6010

David@Markmanlawfirm.com

MAIL CONFIDENTIALITY NOTICE: The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited. Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.